

Case 2:10-cv-10978-PJD-MJH

FILED

2010 NOV -9 P 12:06

UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

U.S. DIST. COURT CLERK
EAST DIST. MICH
FLINT

AMERICAN UNIVERSITY OF ANTIGUA,
COLLEGE OF MEDICINE, a foreign corporation,

Plaintiff,

V

CASE No.: 2:10-cv-10978-PJD-MJH
Judge Patrick J. Duggan
Magistrate Judge

STEVEN WOODWARD,

Defendant,

Defendant's Response to Plaintiff's Renewed Motion for Preliminary Injunction

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The Defendant believes the Plaintiff is burdening the Court with another feeble attempt to obstruct justice by covering-up evidence concerning AUA's disclosure of private student information, which is protected by laws, policies, and contracts.

The Plaintiff has now resorted to fabricating statements meant and attack the credibility of the Defendant before the Court.

The Defendant refers the Plaintiffs statement "Defendant cannot be trusted to honor his word."

The Defendant requests the Court demand a written apology by the Plaintiff and their attorney for making such an unfounded, unsupported statement before the Court.

The Plaintiff has tried before to obtain an injunction, **unsuccessfully**, why, because it is without merit.

The Plaintiff is trying to infringe on the Defendant's Basic Civil Rights for the purposes of obstructing justice for profit.

This attempt further demonstrates the Plaintiff's disregard for Civil Rights, which supports the Defendant.

The Defendant humbly reminds the Court that it was the Plaintiff that filed a wrongful Default, which was **set-aside**.

AUA students have suffered, have been violated, and private information was disclosed at the hand of the Plaintiff.

The Plaintiff admits this disclosure, further demonstrating that the evidence published on the Defendants Web site is Fact.

This evidence can and should be available to those students that seek justice for being violated by AUA's disclosure.

Any injury or damage the Plaintiff allegedly suffers is due to their own violations of laws, policies, and contracts. Any damages the Plaintiff may suffer will be do justice for AUA's actions.

If an injunction was granted evidence pertaining to the Plaintiff's violations of Student Privacy Laws and Policies would be in essence covered-up by the Court.

The Defendant notified the Department of Education concerning the student information that was disclosed by AUA. The Defendant referenced their Web site www.aua-med.com in these communications.

The Department of Education did not reprimand the Defendant, instead they sent the Defendant complaint forms and policies to distribute to the students who were violated by AUA.

The Defendant has tried to contact as many students as possible so they are aware that they were violated and are able to defend themselves and take action.

The Plaintiff is attempting to obstruct for profit.

The Defendant's Web site publishes information concerning safety on the island of Antigua, of which is valuable to prospective students.

The Plaintiff admits that at least one AUA student was sexually assaulted.

Public records show an AUA student died while the Defendant's web site was disabled during a Stay of this case, while the Defendant was working abroad.

It should be noted that another young college student, and U.S. Citizen, was brutally murdered on Antigua in or about January of 2010.

Issuing an injunction could endanger students, U.S. Citizens, putting them unknowing in harms way and obstruct justice.

The Plaintiff's attorney has admitted that at least one AUA student was sexually assaulted and records show another young AUA student is dead, since the founding of this "Start-up" institution in or about 2004.

1) The Hearing on or about 4/19/2010 was in regards to the time the Defendant was working overseas, on leave by the Court, and the case was at stay. The Court would not grant the Plaintiff's first injunction request because it would infringe on the Defendant's rights for lack of Due Process. This further demonstrates the Plaintiff's disregard for Civil Rights.

Per 4/19/2010 hearing transcripts Docket 19:

Page 58, line 13, The Court **"I'm not satisfied that they're false, there's your problem; not yours, his too, okay."**

page 60, line 14, The Court **"so there won't be a preliminary injunction and that's what you're getting in your favor."**

The Defendant was right by reinstating their Web site and other publications on their return from working abroad.

The Court established the following in Docket 37, page 4 **“that it would be impossible in the time allowed to analyze the truth or falsehood of the various statements on Woodward’s website, the Court suggested to Woodward the possibility of taking down his website until he returned to the country and could litigate this case”**.

The Court admits it could not be able to make a decision on the case with the time allotted and that the Web site would only be disabled until their return.

2) If the Defendant did violate Court orders, the Honorable Judge Duggan would have taken action against the Defendant. Docket 37, page 8 shows that the Court Denied the Plaintiff’s requests for: sanctions, default judgment, and permanent injunction.

“IT IS FURTHER ORDERED, that Plaintiff American University of Antigua College of Medicine’s motion to strike Defendant’s answer, to enter a default judgment, and for permanent injunction (Doc. 22) is DENIED; and IT IS FURTHER ORDERED, that Plaintiff American University of Antigua College of Medicine’s motion for Rule 11 sanctions (Doc. 32) is DENIED.”

3) The Defendant followed and obeyed all of the Court Orders.

4) The Plaintiff alleges that the Defendant has no grounds not to grant an injunction.

This statement alone demonstrates the Plaintiff’s disregard for even the most Basic Civil Rights of the Defendant and AUA’s lack of concern for student safety over that of profit and justice.

The Court has already established this on 4/19/2010 Hearing Transcripts page 58, line 15

The Court **“Because if I do what you’re saying I should do, we may be depriving him of the right to publish correct information.”**

The court has ordered the Defendant not to make any modification to the content of the Web site and this request has been obeyed.

This obedience has cost the Defendant their Civil Rights, and more importantly prospective students the right to know of safety concerns before relocating to Antigua for any extended period of time.

5) The Defendant again restates and emphasizes that they are suffering by spending their time, money, and energy to help U.S. Citizens from being hurt by the false information, promises and claims made by the Plaintiff.

AUA filed a lawsuit against the Defendant for defamation for writing about the sexual assault of one of their students and crimes on Antigua, of which the Plaintiff admits happened.

The Defendant published information that is required by laws of the United States, which were written specifically to protect students.

The Defendant references Public Law 101-542 and 20 U.S.C. 1092(f), the Clery Act.

These laws set the precedence for moral and ethical behavior of higher education institutions. AUA disregards these moral and ethical behaviors in trade for profits for their Wall Street office. AUA students, U.S. Citizens, a mere "Cash Cows" for the Plaintiff egos and greed; the cost is student safety.

The Plaintiff has filed this lawsuit against the Defendant in an attempt to cover-up the truth about the sexual assault of at least one student, that was published, and supported by the Plaintiff's own counsel in Court on or about 4/19/2010 page 19, line 22

Mr. Buikema: **"An AUA student was sexually assaulted."**

The Plaintiff is attempting to cover-up the truth for financial gain, bad for business, causing them "irreparable injury" at the expense of prospective students, plural, safety.

The Defendant is and continues doing the moral, ethical, and right thing by publishing this information.

To support this further the Defendant would humbly request the Court review the following URL's:

American Tourist Murdered in Antigua 29-Year-Old San Francisco Woman Found Stabbed in Neck Near Beach Barbecue.

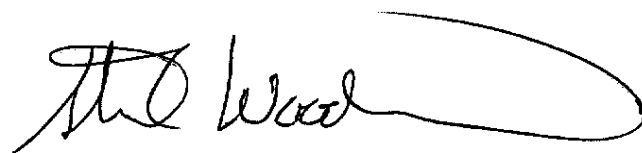
<http://www.cbsnews.com/stories/2010/01/26/earlyshow/main6142947.shtml>

During the time www.aua-med.com was unavailable, because of this lawsuit; one of AUA's students died according to the following article.

The real cause of death of this AUA college student may never be fully known.

<http://www.antiguaobserver.com/?p=31108>

The Defendant humbly requests that the Plaintiff's request for injunction be denied, if not on the grounds of violating the Defendant's Rights, than please do not grant the injunction on the grounds of continued suffering of students by AUA's hand.

A handwritten signature in black ink, appearing to read "The Wood", with a long horizontal flourish extending to the right.